

Atty. Dkt. No. LOCT1100
(028248-3001)

REMARKS

In accordance with the present invention, there are provided ethylenically unsaturated *gem*-diesters. When cured, thermosets comprising invention ethylenically unsaturated *gem*-diesters (and epoxidized derivatives thereof) have thermally and/or chemically labile *gem*-diester groups interspersed throughout the crosslinked network. Thus, thermosets based on invention compounds can be readily reworked by simply heating the thermoset to an appropriate temperature or by treatment thereof with dilute acidic solutions or dilute basic solutions.

The Examiner's indication that claims 9 and 10 are allowable is acknowledged with appreciation.

By the present communication, claim 1 has been amended to define Applicants' invention with greater particularity, and new claims 56-65 have been introduced to present the invention of allowed claim 9 in independent form. Accordingly, claims 1-65 are now pending, though claims 13-55 have been withdrawn from consideration.

Reconsideration of the requirement for restriction is respectfully requested, at least with respect to claims 18-22, which are directed to compositions which include the novel compounds of claim 1. Upon a finding of allowability of the elected claims, rejoinder of claims which depend directly or indirectly therefrom is respectfully requested.

The rejection of claims 1-8 under 35 U.S.C. 102(b) as allegedly being anticipated by Minami, et al., U.S. Patent No. 3,293,220 (1966) is respectfully traversed. Applicants' invention, as defined by claim 1, distinguishes over Minami at least by requiring *gem*-diesters having a defined structure including at least two units of unsaturation. As defined in Applicants' specification, a "'unit of ethylenic unsaturation' refers to unsaturation comprising localized (i.e., non-aromatic) carbon-carbon double bonds. . ." (See paragraph 33 at page 8 of Applicants' specification.) Accordingly, the premise on which this rejection has been asserted, i.e., "[f]or this rejection, it is noted that the terms 'ethylenic unsaturation' and 'cycloalkenyl' have been interpreted to include aromatic structures" (see page 3, lines 3-4 of Paper No. 9), is wrong. The

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only structures in Minami to which the Examiner has pointed in efforts to anticipate the present claims contain no units of unsaturation as contemplated by the present claims. Instead, the Minami structures contain aromatic unsaturation. The unsaturation in an aromatic ring is far less reactive than the "units of ethylenic unsaturation" contemplated by the present claims. Thus, the Minami compounds would be unsuitable for forming thermoset resins as contemplated herein. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

The rejection of claims 1, 2, 11 and 12 under 35 U.S.C. 102(b) as allegedly being anticipated by Nudelman, et al., U.S. Patent No. 6,110, 955 (2000) is respectfully traversed. Applicants' invention, as defined by claim 1, distinguishes over Nudelman at least by requiring *gem*-diesters having a defined structure including at least two units of unsaturation. As noted above, the term "units of ethylenic unsaturation" as defined in Applicants' specification, does not include aromatic carbon-carbon double bonds. Accordingly, similar to the rejection over Minami above, the premise on which this rejection has been asserted is also wrong. As with Minami, the structures in Nudelman to which the Examiner has pointed have only aromatic unsaturation, and no "units of ethylenic unsaturation" as contemplated by the present claims. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

The rejection of claim 1 under 35 U.S.C. 102(e) as allegedly being anticipated by Seo, et al., U.S. Patent No. 6,313,327 (2001) is respectfully traversed. Applicants' invention, as defined by claim 1, distinguishes over Seo at least by requiring *gem*-diesters having a defined structure including at least two units of ethylenic unsaturation. Applicants' *gem*-diesters are further defined by the nature of the substituent on the carbon to which the *gem*-diesters are attached. As amended, claim 1 contemplates (optionally substituted) hydrocarbyl or hydrocarbylene substituents at this position. In contrast, Seo only illustrates compounds with the heteroatom-containing moiety, -OCH₃, at this position. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

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In view of the above Amendments and Remarks, reconsideration and favorable action on all claims are respectfully requested. In the event any issues remain to be resolved in view of this communication, the Examiner is invited to contact the undersigned at the telephone number given below so that a prompt disposition of this application can be achieved.

Respectfully submitted,

Date 8/27/03

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